

Whiz Kids with \$500 in vouchers for books and other materials for each new study hall session that opens. We also conducted an evaluation of the program (1998/99) in conjunction with the Graduate School of Education at the University of Denver. This study showed us that students engaged with Whiz Kids tutors gained between one and three academic grade levels in reading competencies over a 1-year time frame.

"For their part, Whiz Kids Tutoring provides Denver Public Schools with a wonderful benefit each school year. Nearly 600 of our students receive one-on-one academic support and mentoring each year, making Whiz Kids the largest single provider of such services to the district. The agency provides excellent support and training to its volunteers, which is reflected by the extremely high commitment level the volunteers exhibit. Recruitment, training, and management of all volunteers are provided by Whiz Kids, eliminating any costs to DPS in these areas. Also, by partnering with neighborhood churches and community centers to provide space for group activities, Whiz Kids greatly reduces the overhead costs of the program, which might otherwise be incurred by the district in a school-based operation.

"The relationship between Whiz Kids Tutoring and Denver Public Schools is an excellent model of collaboration and provides a vital service to the children of our district. I appreciate your consideration of the Whiz Kids Tutoring grant proposal and give it my full endorsement as a partner. Should you require additional details regarding our partnership, please feel free to contact me at 303-764-3580. Sincerely, Christine Smith, Director, Denver Public Schools Office of Community Partnerships and Enterprise Activity."

Mr. President, Whiz Kids is a great program which enriches the lives of students, provides a fulfilling opportunity for volunteers, and gives them a wonderful opportunity to put their faith into action. Every community ought to have a program like this.●

IN RECOGNITION OF THE 100th ANNIVERSARY OF THE VILLAGE OF SOUTH RANGE

● Mr. LEVIN. Mr. President, I am pleased to recognize the Village of South Range, located in the beautiful upper peninsula of my home State of Michigan, as it celebrates its 100th anniversary. South Range is located in the middle of the Keweenaw Peninsula, which makes up the northernmost point of my home State.

The Village of South Range derives its name and much of its history from the copper mining industry that operated in that area from 1840 until the closing of the last mine in 1970. In 1903, the Wheal Kate Mining Company sold off land from its failing copper mining business and created the town of South Range. During the early 1900s, much of

the Keweenaw Peninsula was controlled by the copper mining industry. The creation of South Range provided miners the opportunity to individually purchase property that had formerly been owned by the large mining companies.

Over the next 100 years, the residents of South Range watched many of their neighboring towns disappear as American industry declined and no longer needed the resources that this region could provide. However, South Range survived because of the perseverance of the families who lived there and the businesses that grew to support them.

Today, the Village of South Range and its 800 residents enjoy a year-round tourism industry as well as the beautiful surroundings of the Keweenaw Peninsula. People travel from all over the Midwest to enjoy the vibrant fall colors, winter snow sports, and calm summer nights of northern Michigan.

I take great pride in congratulating the Village of South Range as it celebrates its centennial anniversary. The beauty and history of the central Keweenaw Peninsula is truly something to be proud of. I know my Senate colleagues will join me in saluting the Village of South Range and wish its citizens luck as they head into their next 100 years.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 1:41 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 8. An act to make the repeal of the estate tax permanent.

ENROLLED BILL SIGNED

At 2:59 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 703. An act to designate the regional headquarters building for the National Park Service under construction in Omaha, Nebraska, as the "Carl T. Curtis National Park Service Midwest Regional Headquarters Building".

MEASURE REFERRED

The Committee on Environment and Public Works was discharged from further consideration of the following measure which was referred to the Committee on Energy and Natural Resources:

H.R. 856. An act to authorize the Secretary of the Interior to revise a repayment contract with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, Texas, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 8. An act to make the repeal of the estate tax permanent.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-165. A joint resolution adopted by the Legislature of the State of Utah relative to issues relating to undocumented individuals in the United States; to the Committee on the Judiciary.

JOINT RESOLUTION 28

Whereas, the Federal Immigration and Naturalization Service has not addressed the issue of undocumented workers from Mexico and Latin American nations;

Whereas, this is an issue of great concern in the state of Utah;

Whereas, children born in the United States to undocumented individuals are American-born citizens;

Whereas, undocumented workers have been in the United States for five years to 50 years without being deported by the Federal Immigration and Naturalization Service;

Whereas, some American citizens have married undocumented individuals, and some undocumented workers have joined the United States Armed Services;

Whereas, many undocumented individuals have paid taxes; and

Whereas, issues related to undocumented individuals raise complex questions that need to be resolved on the national level:

Now, therefore, be it *Resolved*, That the Legislature of the state of Utah strongly urge the United States Congress to review and consider whether to permit parents of American-born children to become American citizens; whether to permit undocumented individuals who have married American citizens to become American citizens, whether to permit undocumented individuals that have been in the United States for more than five years to be given the opportunity to become an American citizen, and whether to permit undocumented individuals who have joined the United States Armed Services to become American citizens.

Be it further *Resolved*, That the Legislature strongly urges the United States Congress to review and determine the appropriate disposition of family and financial affairs in cases where an undocumented parent purchases a home and is then deported.

Be it further *Resolved*, That the Legislature urges Utah's congressional delegation to work with Congress in resolving these issues and to provide guidance and support in the resolution of these issues.

Be it further *Resolved*, That a copy of this resolution be sent to the President of the United States Senate, the Speaker of the United States House of Representatives, the

Federal Immigration and Naturalization Service, and the members of Utah's congressional delegation.

POM-166. A joint resolution adopted by the Legislature of the State of Utah relative to establishing a wolf management plan, to the Committee on Environment and Public Works.

JOINT RESOLUTION 12

Whereas, wolves have become well established in the Northern Rocky Mountain states of Idaho, Montana, and Wyoming, and dispersing young wolves from these expanding populations are traveling into and attempting to recolonize parts of Utah;

Whereas, the biological status of wolves in the Northern Rocky Mountain Recovery Area has recently exceeded criteria for full recovery under the Northern Rocky Mountain Wolf Recovery Plan;

Whereas, the United States Fish and Wildlife Service has stated that the presence of wolves in Utah is not necessary for the recovery of wolves in the Northern Rocky Mountain Recovery Area;

Whereas, Utah is not a participating state in the Northern Rocky Mountain recovery effort for Gray Wolves;

Whereas, the wolf is currently protected in Utah by state statute as well as by the Federal Endangered Species Act;

Whereas, the state of Utah has a legislated, public process for the purpose of developing policy for the management of protected wildlife, which includes the Regional Advisory Councils and the Utah Wildlife Board;

Whereas, the Utah Wildlife Board has been recognized by the Western Association of Fish and Wildlife Agencies for its ability to resolve complex, controversial wildlife management issues;

Whereas, the Utah Wildlife Board has approved a Policy on Managing Predatory Wildlife Species that provides direction to the Division of Wildlife Resources in managing predatory populations;

Whereas, recent biological assessments recognize that lands within the original boundaries of the Uintah and Ouray Reservation in the Uinta Basin of Utah contain suitable wolf habitat;

Whereas, the state of Utah and the Ute Indian Tribe are party to a Cooperative Management Agreement which recognizes the need for cooperation in the management of wildlife within the original boundaries of the Reservation;

Whereas, citizens and conservation organizations in Utah have invested significant resources to restore populations of wildlife in Utah; and

Whereas, hunting, ranching, and livestock production contribute significantly to the economy, heritage, and quality of life in Utah;

Now, therefore, be it *Resolved*, That the Legislature of the state of Utah urges the United States Fish and Wildlife Service to expedite the delisting process for wolves in the Western Gray Wolf Distinct Population Segment, thereby transferring authority to manage wolves to the states.

Be it further, *Resolved*, That the Legislature urges the United States Fish and Wildlife Service to reject requests to establish additional recovery areas that would include the state of Utah, leaving the entire state in the Western Gray Wolf Distinct Population Segment.

Be it further, *Resolved*, That the Legislature strongly urges the Utah Division of Wildlife Resources to draft a wolf management plan for review, modification, and adoption by the Utah Wildlife Board through the Regional Advisory Council process.

Be it further, *Resolved*, That the Legislature urges that the objectives and strategies

of the plan, to the extent possible, be consistent with the wildlife management objectives of the Ute Indian Tribe, prevent livestock depredation, and protect the investments made in wildlife management efforts while being consistent with United States Fish and Wildlife Service regulations and other Utah species management plans.

Be it further, *Resolved*, That the Legislature strongly urges the Division of Wildlife Resources to prepare a grant proposal for consideration by the Department of Natural Resources, within the department's species protection line item, to fully compensate private landowners for losses not covered by other mitigation sources and resulting from depredation to livestock by wolves.

Be it further, *Resolved*, That a copy of this resolution be sent to the United States Fish and Wildlife Service Region Six, the United States Secretary of the Interior, the Utah Wildlife Board, the Utah Division of Wildlife Resources, and the members of Utah's congressional delegation.

POM-167. A concurrent resolution adopted by the Legislature of the State of Utah relative to the space shuttle Columbia; to the Committee on Commerce, Science, and Transportation.

CONCURRENT RESOLUTION

Whereas, at approximately 9:00 a.m. EST on February 1, 2003, the crew of space shuttle mission STS-107 aboard space shuttle Columbia was lost during re-entry into Earth's atmosphere;

Whereas, the nation and the world mourns the loss of Americans Colonel Rick D. Husband, Commander William C. McCool, Lt. Colonel Michael P. Anderson, Dr. Kalpana Chawla, Captain David M. Brown, Commander Laurel Blair Salton Clark, and Israeli Colonel Ilan Ramon;

Whereas, these astronauts were crew members on a space shuttle with a unique and historic heritage;

Whereas, the space shuttle Columbia's maiden voyage was April 12-14, 1981;

Whereas, the space shuttle Columbia has flown 28 flights between 1981 and 2003;

Whereas, the space shuttle Columbia was the first Space Shuttle to fly into Earth's orbit in 1981 and the oldest orbiter in the Shuttle fleet;

Whereas, the space shuttle Columbia became the first reusable spaceship;

Whereas, the space shuttle Columbia was named after the Boston, Massachusetts-based sloop captained by American Robert Gray, who on May 11, 1792 maneuvered the Columbia past the dangerous sandbar at the mouth of a river extending more than 1,000 miles through what is today south-eastern British Columbia, Canada, and the Washington-Oregon border, which river now bears the ship's name;

Whereas, this same 18th century sailing vessel became the first American ship to circumnavigate the globe;

Whereas, the first United States Navy Ship to circle the globe also bore the name Columbia;

Whereas, the command module of Apollo 11, the first lunar landing mission, also bore the name Columbia;

Whereas, the name "Columbia" is derived from the name of the famous explorer, Christopher Columbus;

Whereas, Commander Rick D. Husband, 45, was a colonel in the U.S. Air Force, a test pilot and veteran of one spaceflight, was selected by NASA in December 1994 to serve as pilot of the STS-96 and had logged more than 235 hours in space;

Whereas, Pilot William C. McCool, 41, a commander in the U.S. Navy and former test pilot, was selected by NASA in April 1996 and was making his first spaceflight;

Whereas, Payload Commander Michael P. Anderson, 43, a lieutenant colonel in the U.S. Air Force, was a former instructor pilot and tactical officer with over 211 hours in space, having flown on STS-89;

Whereas, Mission Specialist 1 David M. Brown, 46, a captain in the U.S. Navy and a naval aviator and flight surgeon, was selected by NASA in April 1996 and was making his first spaceflight;

Whereas, Mission Specialist 2 Kalpana Chawla, 41, an aerospace engineer and an FAA Certified Flight Instructor, was selected by NASA in December 1994 and had logged more than 376 hours in space, having flown on STS-87;

Whereas, Mission Specialist 4 Laurel Blair Salton Clark, 41, a commander (captain-select) in the U.S. Navy and a naval flight surgeon, was selected by NASA in April 1996 and was making her first spaceflight;

Whereas, Payload Specialist 1 Ilan Ramon, 48, a colonel in the Israeli Air Force and a fighter pilot, was the only payload specialist on STS-107, was approved by NASA in 1998, was making his first spaceflight, and was the first Israeli in space;

Whereas, these men and women knew the dangers and faced them willingly;

Whereas, their courage, daring, and idealism, in service to all humanity, will make us miss them all the more;

Whereas, the crew had eagerly prepared for many years to explore the universe and expand the boundaries of knowledge, establishing new frontiers in research and exploration;

Whereas, these crew members will always be remembered as heroes, pioneers, and valiant explorers on behalf of all;

Whereas, the full impact of this tragedy is only borne by the families of those seven;

Whereas, the tragic loss of the Columbia crew is a painful part of the process of exploration, discovery, and the expanding of man's horizons, and a sobering reminder that the future doesn't belong to the faint-hearted, but to the brave;

Whereas, not since that tragic loss of the crew of the space shuttle Challenger, almost 17 years ago to the day, has America's space program suffered such a great loss;

Whereas, President George W. Bush stated that although the crew did not return safely to Earth, we pray that all are safely home;

Whereas, the flight path of the space shuttle Columbia crossed southern Utah for the intended destination of Kennedy Space Center, Florida;

Whereas, many Utahns witnessed the space shuttle Columbia as it streaked over southern Utah on its eastward landing approach; and

Whereas, many Utah citizens have contributed to a wide array of service to the success of the U.S. space program;

Now, therefore, be it *Resolved*, That the Legislature of the state of Utah, the Governor concurring therein, recognize the tragic loss of the crew of the space shuttle Columbia.

Be it further *Resolved*, That the Legislature and the Governor express deep gratitude for the crew's courage and willingness to serve all mankind.

Be it further *Resolved*, That the Legislature and the Governor express sincere condolences to the families of the crew of the space shuttle Columbia, President Bush, Prime Minister Sharon, and the entire U.S. space program family.

Be it further *Resolved*, That a copy of this resolution be sent to the families of the space shuttle Columbia's crew, NASA Administrator Sean O'Keefe, the President of the United States, the Prime Minister of Israel, the Governor of Texas, the Governor of Louisiana, the Governor of Florida, and to

the members of Utah's congressional delegation.

POM-168. A concurrent resolution adopted by the Legislature of the State of Utah relative to the modification of census data collection procedures for the 2010 Census to account for United States Citizens who are living out of the country on a temporary basis; to the Committee on Governmental Affairs.

CONCURRENT RESOLUTION 1

Whereas, in 2000, and every preceding ten years, the United States Census Bureau collected data on the citizens of the United States;

Whereas, census data is used for many purposes, including the apportionment of congressional districts among the states based on population;

Whereas, if 857 more individuals had been approved to be included in the population data collected for Utah in the 2000 Census, the state would have been allocated an additional congressional seat;

Whereas, the United States Census Bureau's technical documentation manual for the 2000 Census states that Americans temporarily overseas are to be enumerated at their usual residence in the United States;

Whereas, U.S. military personnel and federal civilian employees stationed outside the United States and their dependents living with them, were included in the 2000 Census apportionment count;

Whereas, among the several groups and individual citizens from Utah that lived out of the country at the time of the 2000 Census were 11,176 members of the Church of Jesus Christ of Latter-day Saints, serving temporarily as missionaries as evidenced by the Affidavit of Robert B. Swensen, Director of the Missionary Department at the international headquarters of the Church of Jesus Christ of Latter-day Saints which affidavit is attached as Appendix A;

Whereas, members of the church from every state in the union serve these mission;

Whereas, although young females can serve 18-month missions and elderly couples may also serve anywhere from six-month to two-year missions for the church, the vast majority of missionaries are young males ages 19–21 who serve two-year missions;

Whereas, as illustrated in Appendix B, data from Census 2000 Summary File 3 show that male representation in the Utah population ranges from 50–53 percent from birth through 18 years of age;

Whereas, the percentage of males in the Utah population who are 19 years of age drops to just below 46 percent, reaches a low of 42.4 percent at age 20, and increases to 47.7 percent at age 21;

Whereas, beginning at age 22, the male representation in Utah returns to the 50–53 percent range, where it remains through age 49;

Whereas, using the Census 2000 Summary File 3 data, it is estimated that over 17,000 young males ages 19 through 21 were not included in Utah's census count, some of whom were counted in other states' census counts but the vast majority of whom were not counted as they were out of the country temporarily serving missions overseas;

Whereas, the Census 2000 Summary File 3 data clearly demonstrates the impact on the state's population of the many young male members of the Church of Jesus Christ of Latter-day Saints from Utah who temporarily leave the country for mission service and then return;

Whereas, the present questionnaire does not provide for those Americans temporarily living overseas to be enumerated at their usual residence in the United States;

Whereas, the impact of the temporary nature of this missionary service is not being

factored into the determination of state population for purposes of allocating congressional seats; and

Whereas, the United States Census Bureau should reexamine the census data collection procedures in order to collect data that captures this portion of the state's population whose absence from the state is only temporary and should not be overlooked when determining the apportionment of congressional seats;

Now, therefore, be it *Resolved*, That the Legislature of the state of Utah, the Governor concurring therein, strongly urge the United States Census Bureau to review its census data collection procedures and make corrections for the 2010 Census, including the census questionnaire, to allow for the collection of data that recognizes the temporary nature of missionary service and permits those individuals out of the country for this purpose to be included in the calculation of state population.

Be it further *Resolved*, That this revised system be used in future census years so that all the states, including Utah, may be granted fair representation when future congressional seats are allocated.

Be it further *Resolved*, That a copy of this resolution be sent to Charles Louis Kincannon, Director, United States Census Bureau; Cathy McCully, Chief, Redistricting Data Office; Donald L. Evans, United States Secretary of Commerce; the House and Senate Congressional Committees chaired by the following: Dan Burton, Chairman, House Committee on Government Reform, Dave Weldon, Chairman, Subcommittee on Civil Service, Census, and Agency Organization, and Susan Collins, Chairman, Senate Committee on Government Affairs; and to the members of Utah's congressional delegation.

POM-169. A joint resolution adopted by the Legislature of the State of Utah relative to the compensation for the impact of federal land ownership on the state's ability to fund public education; to the Committee on Energy and Natural Resources.

JOINT RESOLUTION 14

Whereas, for many years western states have grappled with the challenge of providing the best education for their citizens;

Whereas, western states face unique challenges in achieving this goal;

Whereas, from 1979 to 1998 the percent change in expenditures per pupil in 13 western states was 28%, compared to 57% in the remaining states;

Whereas, in 2000–01, the pupil per teacher ratio in 13 western states averaged 17.9% to one compared with 14.8% to one in the remaining states;

Whereas, the conditions in western states are exacerbated by projections that enrollment will increase by an average of 7.1%, compared to an average decrease of 2.6% in the rest of the nation;

Whereas, despite the wide disparities in expenditures per pupil and pupil per teacher ratio, western states tax a comparable rate and allocate as much of their budgets to public education as the rest of the nation;

Whereas, the ability of western states to fund education is directly related to federal ownership of lands;

Whereas, the federal government owns an average of 51.9% of the land in 13 western states, compared to 4.1% in the remaining states;

Whereas, the enabling acts of most western states promise that 5% of the proceeds from the sale of federal lands will go to the states for public education;

Whereas, a federal policy change in 1976 ended these sales resulting in an estimated \$14 billion in lost public education funding for western states;

Whereas, the ability of western states to fund public education is further impacted by the fact that state and local property taxes, which public education relies heavily upon to fund education, cannot be assessed on federal lands;

Whereas, the estimated annual impact of this property tax prohibition on western states is over \$4 billion;

Whereas, the federal government shares only half of its royalty revenue with the states;

Whereas, royalties are further reduced because federal lands are less likely to be developed and federal laws often place stipulations on the use of state royalty payments;

Whereas, the estimated annual impact of royalty payment policies on western states is over \$1.86 billion;

Whereas, much of the land that the federal government transferred to states upon statehood as a trust for public education is difficult to administer and to make productive because it is surrounded by federal land;

Whereas, federal land ownership greatly hinders the ability of western states to fund public education;

Whereas, the federal government should compensate western states for the significant impact federal land ownership has on the ability of western states to educate its citizens; and

Whereas, just compensation will allow western states to be on equal footing with the rest of the nation in their efforts to provide education for their citizens;

Now, therefore, be it *Resolved*, That the Legislature of the state of Utah urges the United States Congress to appropriate just compensation to the state of Utah for the impact of federal land ownership on the state's ability to fund public education.

Be it further *Resolved*, That a copy of this resolution be sent to the President of the United States Senate, the Speaker of the United States House of Representatives, the President of the United States, and the members of Utah's congressional delegation.

POM-170. A joint resolution adopted by the Legislature of the State of Nevada relative to wilderness areas and wilderness study areas; to the Committee on Energy and Natural Resources.

SENATE JOINT RESOLUTION NO. 3

Whereas, The provisions of 16 U.S.C. §§1131 et seq., commonly referred to as the Wilderness Act, establish the National Wilderness Preservation System, which consists of areas of federal public land that are designated by Congress as wilderness areas; and

Whereas, Congress has designated approximately 2 million acres of certain federal public lands in Nevada as wilderness areas; and

Whereas, If an area of federal public land is designated as a wilderness area, it must be managed in a manner that preserves the wilderness character of the area and ensures that the area remains unimpaired for future use and enjoyment as a wilderness area; and

Whereas, A reasonable amount of wilderness area in this state provides for a diverse spectrum of recreational opportunities in Nevada, promotes tourism and provides a place for Nevadans to escape the pressures of urban growth; and

Whereas, In conjunction with the provisions of the Wilderness Act, the Bureau of Land Management of the Department of the Interior in the late 1970s conducted an initial inventory of approximately 49 million acres of federal public lands in Nevada to determine the suitability of such lands for designation as wilderness areas or identification as wilderness study areas and, in 1980, recommended that approximately 5.1 million acres of those lands be identified as wilderness study areas; and

Whereas, Until a wilderness study area is designated by Congress as a wilderness area or released for multiple use, the wilderness study area must be managed in a manner that does not impair its suitability or preservation as a wilderness area; and

Whereas, In 1991, the Bureau of Land Management recommended that Congress designate as wilderness areas approximately 1.9 million acres of the 5.1 million acres of wilderness study areas in Nevada and release the remainder of the wilderness study areas for multiple use; and

Whereas, Although Congress recently enacted the Clark County Conservation of Public Land and Natural Resources Act of 2002, Public Law 107-282 (2002), which released approximately 224,000 acres in Clark County from its current status as wilderness study areas, the recommendations made by the Bureau of Land Management in 1991 have largely not been acted upon by Congress, and the Bureau continues to manage approximately 3.86 million acres of federal public lands in Nevada identified as wilderness study areas; and

Whereas, It is important that decisions concerning whether to designate wilderness study areas as wilderness areas or release those areas for multiple use are made in a timely manner without any unnecessary delays as the identification of federal public lands as wilderness study areas is believed to impose significant restrictions on the management and use of those lands; and

Whereas, It is also important to protect the ecological health and existing and potential economic and recreational benefits of wilderness areas and wilderness study areas in this state by using reasonable and effective methods of fire suppression in those areas; and

Whereas, Because approximately 2 million acres of federal public land in Nevada have been designated as wilderness areas and approximately 8.6 percent of the federal public land in Nevada that is managed by the Bureau of Land Management has been identified as wilderness study areas and because such designation or identification is believed to impose significant restrictions concerning the management and use of such land, including land used for mining, ranching and recreation, the Legislative Commission appointed in 2001 to conduct an interim study of wilderness areas and wilderness study areas in this state; and

Whereas, During the 2001-2002 legislative interim, the subcommittee met several times throughout this state and facilitated important and wide-ranging discussions among many agencies, organizations and persons with diverse interests, perspectives and expertise concerning wilderness areas and wilderness study areas; and

Whereas, The subcommittee received a great deal of valuable input from those agencies, organizations and persons, including many valuable recommendations for Congress to consider in addressing the issues concerning wilderness areas and wilderness study areas in a responsible, reasonable and fair manner; now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, jointly, That the members of the Nevada Legislature urge Congress to:

1. Support efforts to ensure that adequate access to wilderness areas and wilderness study areas is afforded to the appropriate agencies and persons so that those agencies and persons may effectively combat fires in wilderness areas and wilderness study areas;

2. Support the use of all reasonable and effective fire suppression efforts in wilderness areas and wilderness study areas without strictly confining such efforts only to the tools determined by the federal agencies which manage federal public lands to be the minimum tools necessary;

3. Accept the recommendation of the Bureau of Land Management to designate 1.9 million acres of certain wilderness study areas in Nevada as wilderness areas while also incorporating in the designation process flexibility to consider relevant information such as growth to ensure the establishment of appropriate boundaries for those areas and recognizing that such consideration may result in a reasonable adjustment of those boundaries;

4. Oppose any efforts to conduct another inventory of the federal public lands in Nevada for purposes of creating wilderness areas or wilderness study areas without first releasing wilderness study areas determined to be unsuitable for designation as wilderness areas;

5. Ensure that more current information is considered before acting on the recommendations of the Bureau of Land Management concerning the designation of wilderness areas in Nevada as the surveys of the Bureau were performed with limited time, resources and technology; and

6. Avoid any unnecessary delays in releasing wilderness study areas for multiple use by establishing a plan for addressing the release of wilderness study areas in a timely manner that includes a schedule or plan for the timely consideration of important issues concerning wilderness study areas; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes effective upon passage.

POM-171. A joint resolution adopted by the Legislature of the State of Nevada relative to wilderness areas and wilderness study areas; to the Committee on Energy and Natural Resources.

SENATE JOINT RESOLUTION 4

Whereas, The provisions of 16 U.S.C. §§1131 et seq., commonly referred to as the Wilderness Act, established the National Wilderness Preservation System, which consists of areas of federal public land that are designated by Congress as wilderness areas; and

Whereas, Congress has designated approximately 2 million acres of certain federal public lands in Nevada as wilderness areas; and

Whereas, If an area of federal public land is designated as a wilderness area, it must be managed in a manner that preserves the wilderness character of the area and ensures that the area remains unimpaired for future use and enjoyment as a wilderness area; and

Whereas, A reasonable amount of wilderness area in this state provides for a diverse spectrum of recreational opportunities in Nevada, promotes tourism and provides a place for Nevadans to escape the pressures of urban growth; and

Whereas, In conjunction with the provisions of the Wilderness Act, the Bureau of Land Management of the Department of the Interior manages approximately 3.86 million acres of federal public lands in Nevada identified as wilderness study areas; and

Whereas, Until a wilderness study area is designated by Congress as a wilderness area or released, the wilderness study area must be managed in a manner that does not impair its suitability for preservation as a wilderness area; and

Whereas, Because approximately 2 million acres of federal public land in Nevada have been designated as wilderness areas and approximately 8.6 percent of the federal public land in Nevada that is managed by the Bu-

reau of Land Management has been identified as wilderness study areas and because such designation or identification is believed to impose significant restrictions concerning the management and use of such land, including land used for mining, ranching and recreation, the Legislative Commission appointed a subcommittee in 2001 to conduct an interim study of wilderness areas and wilderness study areas in this state; and

Whereas, During the 2001-2002 legislative interim, the subcommittee met several times throughout this state and facilitated important and wide-ranging discussions among many agencies, organizations and persons with diverse interests, perspectives and expertise concerning wilderness areas and wilderness study areas; and

Whereas, The subcommittee received a great deal of valuable input from those agencies, organizations and persons, including many valuable recommendations for the Nevada Congressional Delegation and Congress to consider in addressing the issues concerning wilderness areas and wilderness study areas in a responsible, reasonable and fair manner; now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, jointly, That the members of the Nevada Legislature urge the Nevada Congressional Delegation to work with all interested Nevadans, land managers, affected parties, local governments, special interest organizations and members of the American public in a spirit of cooperation and mutual respect to address issues concerning the designation of wilderness areas in Nevada; and be it further

Resolved, That the members of the Nevada Legislature urge Congress to:

1. Encourage education at all levels of government and of all affected parties to ensure that facts are accurately presented when wilderness issues are debated and that the applicable laws are properly interpreted when officials carry out legislation concerning wilderness areas and wilderness study areas;

2. Require the development of accurate, consensus-based maps for boundaries of wilderness areas and wilderness study areas using technologies such as Geographic Information Systems;

3. Oppose the creation of buffer zones around wilderness areas and instead support the requirement of clear and concise boundaries based on recognizable features on the ground, including, without limitation, roads and established drainage routes;

4. Support efforts to ensure that existing roads are not closed to create wilderness areas;

5. Support the implementation of appropriate measures, including, without limitation, the use of roads, to ensure that persons who are elderly or have a disability have continued access to wilderness areas;

6. Support the preservation of roads that do not appear on a map and may not have been documented but that have historically been used to allow persons access to private property;

7. For the purpose of allowing ranchers access to water diversions located near wilderness areas or wilderness study areas, support the use of "cherry-stem" roads, which are dead-end roads that would geographically extend into wilderness areas but are excluded from designation as parts of wilderness areas because the boundaries of the wilderness areas are drawn around and just beyond the edges of such roads;

8. Specifically outline and guarantee all preexisting rights of ranchers concerning grazing permits, water permits and access to land and water necessary for ranching via "cherry-stem" roads in any legislation concerning wilderness areas and wilderness study areas;

9. Support the use of appropriately managed techniques for managing vegetation, including, without limitation, grazing, and the use of appropriately managed logging as integral tools for reducing potential fire danger in wilderness areas and wilderness study areas;

10. Consider future population growth and urban expansion when designating wilderness areas in Nevada, as Nevada has been the state with the highest percentage population growth in recent years and public lands in Nevada are increasingly impacted by human activity and development;

11. Support the designation of the area of approximately 1,800 acres of land known as Marble Canyon, which is adjacent to the Mt. Moriah Wilderness Area and which appears to have been inadvertently excluded from the Nevada Wilderness Protection Act of 1989, Public Law 101-195, as a wilderness area;

12. Support national and state legislation which explicitly requires that when a decision is made in the public land use planning process which will affect economic activity on public land, consideration must be given as to the effects of the decision on communities that are dependent on natural resources;

13. Hold extensive hearings in Washington, DC., and in Nevada before making any changes to the designation of wilderness areas in Nevada or the identification of wilderness study areas in Nevada or any other changes concerning public lands in Nevada;

14. Use a collaborative process when designating a wilderness study area as a wilderness area; and

15. Support precise specification of the activities that are authorized within wilderness areas and wilderness study areas; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes effective upon passage.

POM-172. A concurrent resolution adopted by the Legislature of the State of Hawaii relative to migration issues and citizens of the Freely Associated States who reside in the State of Hawaii; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION 62

Whereas, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau (collectively, Freely Associated States), formerly part of the Trust Territory of the Pacific Islands under the United Nations Charter, entered into an agreement with the government of the United States known as the Compact of Free Association (Compact); and

Whereas, the Compact was entered into with these nations in part to terminate the trusteeship, recognize their independence, provide them with critical economic development aid, and allow their people to immigrate freely to the United States; and

Whereas, under the Compact, the United States provides direct economic assistance, federal services, and military protection to these nations, in exchange for defense rights; and

Whereas, the Compact, codified as Title II of Public Law 99-239, was established in 1986 between the United States and the Republic of the Marshall Islands and the Federated States of Micronesia, and in 1994 with the Republic of Palau, codified as Title II of Public Law 99-658; and

Whereas, section 104(e)(1) of Title I, Public Law 99-239, regarding the interpretation of

and United State policy regarding the Compact, states that in approving the Compact, "it is not the intent of the Congress to cause any adverse consequences for . . . the States of Hawaii"; and

Whereas, section 104(e)(4) of Title I, Public Law 99-239, provides that "if any adverse consequences to . . . the State of Hawaii result from implementation of the Compact of Free Association, the Congress will act sympathetically and expeditiously to redress those adverse consequences"; and

Whereas, section 104(e)(5) of Title I, Public Law 99-239, appropriated funds beginning after September 30, 1985, to cover the costs, if any, incurred by Hawaii "resulting from any increased demands placed on educational and social services by immigrants from the Marshall Islands and the Federated States of Micronesia"; and

Whereas, section 104(e)(2) of Title I, Public Law 99-239, requires the President of the United States to report annually to the Congress on the impact of the Compact on the State of Hawaii, identifying any adverse consequences resulting from the Compact and making recommendations for corrective action, focusing on such areas as trade, taxation, immigration, labor, and environmental regulations; and

Whereas, section 104(e)(3) of Title I, Public Law 99-239, further provides that in preparing these reports to Congress, the President shall request the views of the government of the State of Hawaii and transmit the full text of those views to Congress as part of those reports; and

Whereas, the interpretation of and United States policy regarding the Compact as set forth in section 104 of Title I, Public Law 99-239, with respect to the Federated States of Micronesia and the Republic of the Marshall Islands, also applies to the Republic of Palau, pursuant to section 102(a) of Title I, Public Law 99-658, thereby making the State of Hawaii eligible for additional funds resulting from increased demands placed on the educational and social services of the State of Hawaii by immigrants from the Freely Associated States; and

Whereas, payments from the United States to the Republic of the Marshall Islands and the Federated States of Micronesia under the Compact of Free Association will end on October 1, 2003, and Compact re-negotiation talks have been continuing; and

Whereas, instead of mitigating the incentive for Freely Associated States citizens to migrate by improving the overall quality of life in the Freely Associated States through increased economic aid, the United States has proposed giving additional funds to regions affected by "Compact impacts," while creating "various mechanisms" to ensure that migrants from Freely Associated States are eligible for admission; and

Whereas, although the renegotiated Compacts with the Republic of the Marshall Islands and the Federated States of Micronesia will most likely continue to provide islanders with visa-free entry to the United States, the United States Congress should review the migration issue and increase the amount of aid available for the Compact's educational and social impact on Hawaii; and

Whereas, many residents of the Freely Associated States are attracted to the State of Hawaii due to the State's increased employment and educational opportunities, as well as similar Pacific Island culture and lifestyle; and

Whereas, drawn by the promise of better medical care and a better education for their children, over six thousand Freely Associated States citizens have migrated to and are currently residing in Hawaii; and

Whereas, Freely Associated States citizens that enter the United States may have con-

tagious diseases, criminal records, or chronic health problems—conditions that are normally grounds for inadmissibility into the United States; and

Whereas, the 1996 federal Welfare Reform Act cut off access to federal welfare and medical assistance programs, forcing citizens of the Freely Associated States residing in Hawaii to rely on state aid; and

Whereas, the cost of supporting Freely Associated States citizens residing in Hawaii, largely in healthcare and education, totaled more than \$101,000,000 between 1998 and 2002; and

Whereas, Freely Associated States students have higher costs than other students due to poor language and other skills, and because such students enter and leave school a few times each year, their integration into the school system has been difficult; and

Whereas, since the Compact went into effect in 1986 until 2001, Hawaii has spent over \$64,000,000 to educate Freely Associated States citizens and their children in public schools, \$10,000,000 in 2000 alone; and

Whereas, last year, the number of Freely Associated States students in primary and secondary public schools in Hawaii increased by twenty-eight percent, resulting in costs to the State of over \$13,000,000 for school year 2001-2002, and bringing the total costs for education, since 1988, to about \$78,000,000; and

Whereas, during the academic school year 2001-2002, the University of Hawaii lost over \$1,200,000 in tuition revenue systemwide, as a result of students from the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau paying resident rather than non-resident tuition; and

Whereas, inadequate and delayed federal compensation to Hawaii's education system results in a cost to Hawaii's own children and contributes to Hawaii being substantially below many other states in per pupil expenditures for public school children in kindergarten through grade twelve; and

Whereas, state medical assistance payments for Freely Associated States citizens from 1998 to 2002 totaled \$14,961,427, and financial assistance payments during the same period totaled \$13,378,692, with costs borne solely by the State of Hawaii; and

Whereas, the financial stability and viability of private hospitals and medical providers is threatened by staggering debts and write-offs for medical services provided to Freely Associated States citizens residing in Hawaii, in spite of state Medicaid reimbursements; and

Whereas, between 1998 and 2002, \$10.1 million in operating losses attributable to healthcare for Freely Associated States citizens residing in Hawaii were incurred at three Honolulu hospitals (the Queen's Medical Center, Straub Clinic and Hospital, and Kapiolani Medical Center for Women and Children), and these types of losses were also incurred at the twenty other hospitals in the State; and

Whereas, community health centers estimate an annual cost of \$420,000 for services to Freely Associated States citizens residing in Hawaii; and

Whereas, the Department of Health has also been significantly impacted by the cost of public health services to Freely Associated States citizens residing in Hawaii, with \$967,000 spent on screening vaccination and treatment of communicable diseases and \$190,000 spent for immunization and outreach by public health nurses; and

Whereas, inadequate and delayed federal compensation threaten to overwhelm Hawaii's health care systems, leading to potential cutbacks in services and personnel that would impact all of Hawaii's citizens; and

Whereas, it is imperative that Hawaii be granted immediate and substantial federal assistance to meet these mounting costs; and

Whereas, the fact that Micronesians should qualify for federal benefits, while residing in Hawaii and the rest of the United States, can best be summed up by the resolution which was adopted September 9, 2001, in Washington, D.C., by Grassroots Organizing for Welfare Leadership, supporting the insertion of language in all federal welfare, food, and housing legislation, because Micronesians are eligible for these and other benefits as "qualified non-immigrants" residing in the United States; and

Whereas, the United States government is not owning up to its responsibility for what the United States did to the Micronesian people by refusing them food stamps and other federal benefits when they came to Hawaii and the rest of the United States seeking help; and

Whereas, the excuse by the United States government to deny any aid to the Micronesians in the United States is the word "non-immigrant" used in the Compact of Free Association to describe Micronesians who move to Hawaii and the United States; and

Whereas, Micronesians have also developed high rates of diabetes, high blood pressure, and obesity as a result of American dietary colonialism; and

Whereas, it is the intent of this Resolution to encourage the responsible entities to implement the provisions of the Compact of Freely Associated States, which authorizes compact impact funds to be made available to states that welcome and provide services to the people of the Federated States of Micronesia, Republic of the Marshall Islands, and Republic of Palau, because most of the Freely Associated States citizens who migrate to Hawaii do so for medical problems related to the United States' military testing of nuclear bombs; now, therefore,

Be it *Resolved by the Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, the House of Representatives concurring*, That the Bush Administration and the United States Congress are requested to appropriate adequate financial impact assistance for health, education, and other social services for Hawaii's Freely Associated States citizens; and

Be it further *Resolved*, That the Bush Administration and the United States Congress are requested to insert language in all federal welfare, food, and housing legislation which says that Micronesians are eligible for federal food stamps, welfare, public housing, and other federal benefits as "qualified non-immigrants" residing in the United States; and

Be it further *Resolved*, That the Bush Administration and the United States Congress are requested to restore Freely Associated States citizens' eligibility for federal public benefits, such as Medicaid, Medicare, and food stamps; and

Be it further *Resolved*, That Hawaii's congressional delegation is requested to introduce legislation in the United States Congress calling for further review of the migration issue and for increased aid for the educational and social impact of the Compact of Free Association, and any newly renegotiated Compact, on the State of Hawaii; and

Be it further *Resolved*, That Hawaii's congressional delegates are requested to assure financial reimbursements, through the establishment of a trust, escrow, or set-aside account, to the State of Hawaii for educational, medical, and social services and to Hawaii's private medical providers who have provided services to Freely Associated States citizens; and

Be it further *Resolved*, That certified copies of this Concurrent Resolution be transmitted

to the President of the United States; U.S. Secretary of State; President of the U.S. Senate; Speaker of the U.S. House of Representatives; members of Hawaii's congressional delegation, the Presidents of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, and their respective Honolulu Offices; the national negotiating teams of the Compact of Free Association; the Governor; State Attorney General; Directors of Health and Human Services; President of the University of Hawaii; Superintendent of Education; Chair of the Board of Agriculture; Grassroots Organizing for Welfare Leadership; Micronesians United; the United Church of Christ; Hawaii Conference of Churches; and the United Methodist Church of Honolulu.

POM-173. A concurrent resolution adopted by the Legislature of the State of Utah relative to the establishment of requirements that clinical study sponsors perform subgroup analysis of their studies to ensure that the health concerns of women are addressed in clinical trial results; to the Committee on Health, Education, Labor, and Pensions.

CONCURRENT RESOLUTION 2

Whereas, there is a pressing need to collect and assess more accurate data regarding the health of women;

Whereas, subgroup analysis, a statistical procedure, takes data from a general group of study subjects and looks for differences within a subset of those subjects that share a specific characteristic, such as sex, age, or state of disease;

Whereas, studies have shown that, to improve the quality and appropriateness of health services, the gender of those participating in clinical trials must be factored into all levels of biomedical research, creating a new paradigm for data analysis;

Whereas, despite the mounting evidence of the need for subgroup data analysis based on gender, recent reports show that analysis is either not being conducted or not being reported;

Whereas, although a 1993 policy guideline and a 1998 regulation by the Food and Drug Administration recommends that study sponsors perform subgroup analysis of their studies, it is clear that these recommendations are not being followed;

Whereas, a July 2001 report of the General Accounting Office found that about one-third of new drug applications submitted to the Food and Drug Administration by study sponsors failed to provide gender-specific data from subgroup-analysis conducted during the clinical trials; and

Whereas, without subgroup analyses, researchers and clinicians cannot truly assess the safety and efficacy of new drugs for women, and the development of potentially life saving drugs may be abandoned if early trials fail to show efficacy in one gender;

Now, therefore, be it *Resolved*, That the Legislature of the State of Utah, the Governor concurring therein, strongly urge the Food and Drug Administration to strictly enforce requirements that clinical study sponsors perform subgroup analysis of their studies to ensure that the health concerns of women are appropriately addressed in clinical trial results.

Be it further *Resolved*, that a copy of this resolution be sent to the Food and Drug Administration, the Utah Department of Health, and the members of Utah's congressional delegation.

POM-174. A resolution adopted by the House of the General Assembly of the Commonwealth of Pennsylvania relative to pensions and individual retirement accounts; to the Committee on Finance.

HOUSE RESOLUTION No. 38

Whereas, Under Federal tax relief legislation passed in 2001, pension and Individual Retirement Account (IRA) provisions will sunset on December 31, 2010; and

Whereas, Although the tax-deductible contribution limit for IRA contributions will increase through December 31, 2010, IRA funding limits will actually shrink by 60% in 2011 if pension and IRA provisions sunset as provided in the 2001 tax relief legislation; and

Whereas, People 50 years of age and older have been allowed tax benefits for investing additional funds in their retirement accounts annually as "catch-up" contributions, and this practice should continue because it maximizes "nest eggs"; and

Whereas, Pensions should be portable because the average American changes jobs ten times throughout his career span; and

Whereas, Minimum distribution rules for pensions and retirement accounts should be adjusted to reflect the increase in work years and life expectancy because the population of this country enjoys a longer, more active life than that of a few generations ago and tends to spend more years in the work force; therefore be it

Resolved, That the House of Representatives urge the Congress of the United States to continue to grant pension moneys and Individual Retirement Accounts favorable tax treatment and to repeal the provisions of the 2001 tax relief legislation which impede such favorable treatment; and be it further

Resolved, that copies of this resolution be transmitted to the presiding officers of each House of Congress and to each Member of Congress from Pennsylvania.

POM-175. A resolution adopted by the House of the General Assembly of the Commonwealth of Pennsylvania relative to the repeal of the death tax; to the Committee on Finance.

HOUSE RESOLUTION No. 70

Whereas, Under tax relief legislation passed in 2001, the "death tax" was temporarily phased out but not permanently eliminated; and

Whereas, Farmers and other small business owners will face losing their farms and businesses if the Federal Government resumes the heavy taxation of citizens at death; and

Whereas, Employees suffer layoffs when small and medium businesses are liquidated to pay death taxes; and

Whereas, If the death tax had been repealed in 1996, the United States economy would have realized billions of dollars each year in extra output and an average of 145,000 additional new jobs would have been created; and

Whereas, Having repeatedly passed in the United States House of Representatives and Senate, repeal of the death tax holds wide bipartisan support; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge Congress to vote for the permanent repeal of the death tax; and be it further

Resolved, That copies of this resolution be transmitted to the Pennsylvania Congressional Delegation.

POM-176. A resolution adopted by the House of the General Assembly of the Commonwealth of Pennsylvania relative to limits on the refinancing of long-term debt and on the advance refunding of private activity bonds by state and local government; to the Committee on Finance.

HOUSE RESOLUTION No. 98

Whereas, As state and local governments begin working on their annual budgets, they are faced with weighing the unpalatable

choices of program cuts, tax hikes or both to make up budget shortfalls as a result of the sluggish economy; and

Whereas, In 1986 the Congress of the United States added a limitation to the Internal Revenue Code of 1986 providing that state and local governments can refinance long-term debt (municipal bonds) only once so that a flood of tax-exempt municipal bonds would not deprive the United States Treasury of tax revenue; and

Whereas, Many state and local governments refinanced their long-term debt during the 1990s to take advantage of the lower interest rates at that time; and

Whereas, The slowdown in the economy has led to even lower interest rates and provides the potential for state and local governments to refinance currently outstanding debt at historically low-interest rates and may hold the answer governments are looking for in an attempt to save badly needed funds; and

Whereas, By Federal law, those same governments now have only one opportunity to take advantage of favorable market conditions and achieve lower borrowing costs; and

Whereas, Section 149(d) of the Internal Revenue Code of 1986 also prohibits the advance refunding of all private activity bonds, other than qualified section 501(c)(3) bonds, if the bonds are to maintain their tax-exempt status; and

Whereas, Private activity bonds are commonly used by state agencies and local governments to finance important initiatives such as housing and redevelopment projects; and

Whereas, Current economic uncertainties increasingly pinch state and local government budgets compounded by the increased and unforeseen burdens of funding safeguards against terrorism; and

Whereas, In order to provide state and local governments with the tools and flexibility they need to face these changing circumstances, additional opportunities are needed to advance the refunding of outstanding debt; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the President and the Congress of the United States to restructure the requirement in section 149(d) of the Internal Revenue Code of 1986, either legislatively or by regulation, to afford state and local governments the flexibility they need to take advantage of favorable market conditions by providing additional opportunities to advance the refunding of outstanding long-term debt; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM 177. A resolution adopted by the House of the General Assembly of the Commonwealth of Pennsylvania relative to a tariff on the importation of milk protein concentrates; to the Committee on Finance.

HOUSE RESOLUTION NO. 106

Whereas, Agriculture is the number one industry in the Commonwealth of Pennsylvania; and

Whereas, Dairy farmers are confronted with the lowest market prices for milk in 20 years as a result of low-cost importing of milk protein concentrates; and

Whereas, Milk protein concentrate is a highly filtered form of dried milk protein; and

Whereas, Milk protein concentrates are imported to make cheese products at a lower cost and with less milk; and

Whereas, There are currently no restrictions on imports of milk protein concentrates; and

Whereas, The influx of milk protein concentrates is a large contributor to the current dairy crisis; and

Whereas, Milk protein concentrates are being imported into the Commonwealth of Pennsylvania and being used in dairy products; and

Whereas, Dairy farmers across the country and especially in the Commonwealth of Pennsylvania are affected by the large amount of imported milk protein concentrates; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the Congress of the United States to impose a tariff on the importation of milk protein concentrates; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress, to the Pennsylvania congressional delegation and to Governor Edward G. Rendell.

POM-178. A joint resolution adopted by the Legislature of the State of Utah relative to the repeal of the individual and permanent Alternative Minimum Tax; to the Committee on Finance.

JOINT RESOLUTION 24

Whereas, In 1969 the United States Congress created the Alternative Minimum Tax to prevent wealthy Americans and corporations from using otherwise available deductions to reduce their income tax liability;

Whereas, today the Alternative Minimum Tax has placed an onerous burden on working middle-class families and productive companies;

Whereas, any family making over \$49,000 and deducting their state and local taxes, mortgage interest, children, and college education will be subject to the Alternative Minimum Tax;

Whereas, the Corporate Alternative Minimum Tax targets capital intensive industries that create jobs, raises the incomes of workers, and increases the standard of living for all Americans

Whereas, corporations become subject to the Alternative Minimum Tax during recessions which forces employee layoffs; and

Whereas, it is important to protect working middle-income families and productive companies from tax burdens that only reduce the possibility of economic prosperity instead off encourage it;

Now, therefore, be it *resolved*, That the Legislature of the state of Utah urges the members of Utah's congressional delegation to vote to repeal the individual and permanent Alternative Minimum Tax.

Be it further *Resolved*, That a copy of this resolution be sent to the members of Utah's congressional delegation.

POM-179. A joint resolution adopted by the Legislature of the State of Utah relative to a free trade agreement between the Republic of China on Taiwan and the United States; to the Committee on Finance.

JOINT RESOLUTION 7

Whereas, the United States should promote the values of freedom, democracy, and a commitment to open markets and the free exchange of both goods and ideas at home and abroad;

Whereas, the Republic of China on Taiwan shares these values with the United States and has struggled throughout the past 50 years to create what is today an open and thriving democracy;

Whereas, the United States must continue to support the growth of democracy and ongoing market opening in Taiwan if this relationship is to evolve and reflect the changing nature of the global system in the 21st Century;

Whereas, despite the fact that Taiwan only recently became a member of the World Trade Organization and that it has no formal trade agreement with the United States, Taiwan has nevertheless emerged as the United States' eighth largest trading partner;

Whereas, American businesses and workers have benefitted greatly from this dynamic trade relationship, most recently in the computer and electronics sector;

Whereas, Taiwan is a gateway to other Pacific Rim markets for United States exports, helping to preserve peace and stability within the entire region;

Whereas, United States agricultural producers have been particularly under represented in the list of United States exports to the region, despite the importance of the market for growers of corn, wheat, and soybeans;

Whereas, a free trade agreement would not only help Taiwan's economy dramatically expand its already growing entrepreneurial class, but it would also serve an important political function;

Whereas, the United States needs to support partner countries that are lowering trade barriers;

Whereas, Taiwan has emerged over the past two decades as one of the United States' most important allies in Asia and throughout the world;

Whereas, in the interest of supporting, preserving, and protecting the democratic fabric of the government of Taiwan, it is made clear that the United States supports the withdrawal of missiles deployed as a threat against Taiwan by the People's Republic of China;

Whereas, Taiwan has forged an open, market-based economy and a thriving democracy based on free elections and the freedom of dissent;

Whereas, it is in the interest of the United States to encourage the development of both these institutions;

Whereas, the United States has an obligation to its allies and to its own citizens to encourage economic growth, market opening, and the destruction of trade barriers as a means of raising living standards across the board;

Whereas, a free trade agreement with Taiwan would be a positive step toward accomplishing all of these goals; and

Whereas, the United States should also support the entry of Taiwan into the World Health Organization, the United Nations, and other relevant international organizations;

Now, therefore, be it *Resolved*, That the Legislature of the state of Utah urges the Bush Administration to support a free trade agreement between the United States and Taiwan.

Be it further *Resolved*, That United States policy should include the pursuit of some initiative in the World Trade Organization which will give Taiwan meaningful participation in a manner that is consistent with the organization's requirements.

Be it further *Resolved*, That a copy of this resolution be sent to the President of the United States, the United States Secretary of State, the Secretary of Health, Education, and Welfare, the Speaker of the United States House of Representatives, the President of the United States Senate, the Government of Taiwan, the World Trade Organization, and the members of Utah's congressional delegation.

POM-180. A resolution adopted by the Senate of the Legislature of the State of Wisconsin relative to the Medicare system; to the Committee on Finance.

SENATE RESOLUTION 7

Whereas, the archaic and complex Medicare reimbursement formula rewards Medicare providers in areas with high historic

health costs while penalizing those providers in low-cost areas for the same services; and

Whereas, Wisconsin and other upper mid-western states have traditionally been paid less per Medicare enrollee due to our efficient, low-cost management of health care services; and

Whereas, Wisconsin receives the 8th lowest Medicare payments per enrollee in the nation; and

Whereas, if Wisconsin received Medicare payments at the national average, an additional \$1,000,000,000 in benefits would flow to our seniors and their health care providers; and

Whereas, Wisconsin should no longer be a "donor" state by contributing its fair share to the federal program while receiving fewer benefits and lower reimbursements in return; and

Whereas, the failure of Wisconsin Medicare to cover the cost of health care for its beneficiaries shifts the cost burden to employers and the privately insured, translating into a hidden tax increase that contributes to rising health insurance premiums and the uninsured population; and

Whereas, an increase in the uninsured would have a detrimental impact on the health of many Wisconsin citizens, would drive up health care costs, and could lead to a significant rise in the use of government programs such as BadgerCare or Medical Assistance, thus requiring additional funding from Wisconsin taxpayers; and

Whereas, another practical result of this payment inequity is that Wisconsin's seniors are denied access to the broad range of affordable benefits and services that seniors in many other states take for granted; and

Whereas, in places where reimbursement rates are high, such as Florida, Medicare health maintenance organizations can offer their plans without a premium, while in Wisconsin the Medicare population has limited access to health maintenance organization care; and

Whereas, Wisconsin's hospitals are paid 14% less than their costs and thus rank 45th nationally in percentage of costs paid for providing services to Medicare beneficiaries; and

Whereas, Wisconsin physicians are paid approximately one-third less of their costs, and Wisconsin consistently ranks nationally as one of the 10 lowest states in Medicare reimbursement for medical services provided; and

Whereas, the impact of this inequity has not translated into the delay, by 50% of Wisconsin physicians who treat Medicare patients, in the purchase of new and needed equipment; and

Whereas, 15% of physicians have started restricting the number of new Medicare patients that they will accept while another 9% can no longer afford to accept new Medicare patients, despite an aging Wisconsin population; and

Whereas, physicians who are still currently seeing Medicare patients have reduced their number of weekly appointments by 18%; and

Whereas, the Medicare cuts cost Wisconsin physicians \$40,000,000 last year, forcing 6% of physicians to close their private practices because they could no longer cover their overhead costs and pay their staff; and

Whereas, the impact of this inequity means the poor, disabled, and elderly will face serious challenges trying to access care; and

Whereas, the impact of this inequity threatens the viability of our health care providers, especially in rural Wisconsin where Medicare enrollees typically constitute over 50% of a hospital's costs; and

Whereas, allowing Medicare reimbursement formula to exist in its current form will guarantee even greater cost-shifting,

unending double-digit health insurance premium increases, an increase in the uninsured, a continued decrease in physicians accepting Medicare patients, and fewer hospitals; and

Whereas, Wisconsin hospitals, physicians, and insurers stand united in their effort to ensure that Wisconsin providers receive the payments that they deserve, and that patients receive the benefits that they deserve; now, therefore, be it

Resolved by the senate, That the Wisconsin senate urges the members of the congressional delegation from this state to work to enact legislation that would reform the current Medicare system and create a funding method that will dispense equal benefits regardless of geography; and, be it further

Resolved, That the senate chief clerk shall send copies of this resolution to the President of the United States, the speaker of the U.S. house of representatives, the president of the U.S. senate, and all of the members of the congressional delegation from this state.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 724. A bill to amend title 18, United States Code, to exempt certain rocket propellants from prohibitions under that title on explosive materials.

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 1233. A bill to authorize assistance for the National Great Blacks in Wax Museum and Justice Learning Center.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. McCAIN for the Committee on Commerce, Science, and Transportation.

*Annette Sandberg, of Washington, to be Administrator of the Federal Motor Carrier Safety Administration.

Coast Guard nomination of Rear Adm. (lh) Duncan C. Smith.

Coast Guard nominations beginning Rear Adm. (lh) Sally Brice-O'Hara and ending Rear Adm. (lh) David B. Peterman, which nominations were received by the Senate and appeared in the Congressional Record on May 22, 2003.

Coast Guard nomination of Mary Ann C. Gosling.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRAHAM of Florida:

S. 1289. A bill to name the Department of Veterans Affairs Medical Center in Minneapolis, Minnesota, after Paul Wellstone; to the Committee on Veterans' Affairs.

By Mr. HOLLINGS:

S. 1290. A bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of tax-exempt bonds issued for the purchase or maintenance of electric generation, transmission, or distribution assets; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. BAUCUS):

S. 1291. A bill to authorize the President to impose emergency import restrictions on archaeological or ethnological materials of Iraq until normalization of relations between the United States and the Government of Iraq has been established; to the Committee on Finance.

By Ms. LANDRIEU:

S. 1292. A bill to establish a servitude and emancipation archival research clearinghouse in the National Archives; to the Committee on Governmental Affairs.

By Mr. HATCH (for himself, Mr. LEAHY, Mr. SCHUMER, Mr. GRASSLEY, Mrs. FEINSTEIN, Mr. DEWINE, and Mr. EDWARDS):

S. 1293. A bill to criminalize the sending of predatory and abusive e-mail; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself, Mrs. BOXER, Ms. CANTWELL, Mr. KENNEDY, Mr. LEAHY, and Mr. PRYOR):

S. 1294. A bill to authorize grants for community telecommunications infrastructure planning and market development, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. MURKOWSKI:

S. 1295. A bill to clarify the definition of rural airports; to the Committee on Finance.

By Ms. MURKOWSKI:

S. 1296. A bill to exempt seaplanes from certain transportation taxes; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. TALENT):

S. 1297. A bill to amend title 28, United States Code, with respect to the jurisdiction of Federal courts inferior to the Supreme Court over certain cases and controversies involving the Pledge of Allegiance to the Flag; to the Committee on the Judiciary.

By Mr. AKAKA (for himself, Mr. LEAHY, and Mrs. BOXER):

S. 1298. A bill to amend the Farm Security and Rural Investment Act of 2002 to ensure the humane slaughter of non-ambulatory livestock, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. SNOWE (for herself and Ms. MURKOWSKI):

S. 1299. A bill to amend the Trade Act of 1974 to provide trade readjustment and development enhancement for America's communities, and for other purposes; to the Committee on Finance.

By Ms. CANTWELL:

S. 1300. A bill to prohibit a health plan from contracting with a pharmacy benefit manager (PBM) unless the PBM satisfies certain requirements, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DEWINE (for himself and Mr. SCHUMER):

S. 1301. A bill to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself, Mr. WARNER, Mrs. CLINTON, Mr. BIDEN, Mr. DASCHLE, Mr. BYRD, Mr. KENNEDY, Mr. LAUTENBERG, Mr. LEVIN, Mrs. FEINSTEIN, Mr. REID, Ms. STABENOW, Mrs. LINCOLN, Mr. KOHL, Mr. BAYH, Mr. BREAUX, Mrs. MURRAY, Mr. CARPER, Mr. DODD, Ms. MIKULSKI,